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IN 2828  
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EXPRESS MAIL LABEL NO.: EV 657811515 US

PATENT APPLICATION  
Docket No.: 15436.436.3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ralph H. Johnson

Serial No.: 10/026,019 ) Art Unit

Filed: December 20, 2001 ) 2828

Confirmation No.: 6105 )

For: VERTICAL CAVITY SURFACE  
EMITTING LASER INCLUDING  
INDIUM AND NITROGEN IN THE  
ACTIVE REGION )

Examiner: Dung T. Nguyen )

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is

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made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of the references listed in the accompanying Form PTO-1449 or relevant portion thereof is also enclosed.

In accordance with 37 C.F.R. § 1.98(c), all English translations within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) of each non-English reference, if any, are also enclosed.

Since all listed references are either in the English language or are accompanied by a translation into English, no concise explanation of relevance is required under 37 C.F.R. § 1.98(a)(3).

Submission Fee  
Under 37 C.F.R. § 1.97(c)

In accordance with 37 C.F.R. § 1.97(c), Credit Card Payment Form PTO-2038 payable in the amount of \$180.00 to cover the submission fee is enclosed to secure consideration of the references submitted with this Supplemental Information Disclosure

Statement. Please credit any over payment or charge any additional fees to Deposit Account  
No. 23-3178 of the undersigned.

Dated this 3<sup>rd</sup> day of June, 2005.

Respectfully submitted,



Peter F. Malen, Jr.  
Attorney for Applicant  
Registration No. 45,576  
Customer No. 022913  
Telephone No. 801-533-9800

PFM/gm  
GPM0000001212V001

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

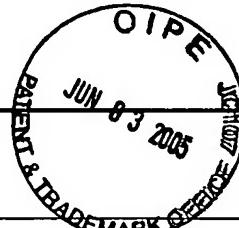
Applicant(s): Ralph H. Johnson

Docket No.

15436.436.3

Application No.  
10/026,019Filing Date  
December 20, 2001Examiner  
Dung T. NguyenCustomer No.  
022913Group Art Unit  
2828

Invention: VERTICAL CAVITY SURFACE EMITTING LASER INCLUDING INDIUM AND NITROGEN IN THE ACTIVE REGION



I hereby certify that the following correspondence:

**Supplemental Information Disclosure Statement (3 pgs); Form PTO 1449 (1 pg); Transmittal Letter (2 pgs in duplicate); English Translation of ROC Patent Publication No. 332930; Credit Card Payment Form; and Postcard**

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

June 3 2005  
(Date)**Gina Meredith**

(Typed or Printed Name of Person Mailing Correspondence)

Gina Meredith

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**EV 657811515 US**

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**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
(Under 37 CFR 1.97(b) or 1.97(c))**

Docket No.  
15436.436.3

In Re Application Of: **Ralph H. Johnson**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/026,019	December 20, 2001	Dung T. Nguyen	022913	2828	6105

Title: **VERTICAL CAVITY SURFACE EMITTING LASER INCLUDING INDIUM AND NITROGEN IN THE ACTIVE REGION**



Address to:  
**Commissioner for Patents**  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1.  The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2.  The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

- the statement specified in 37 CFR 1.97(e);

**OR**

- the fee set forth in 37 CFR 1.17(p).

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
 (Under 37 CFR 1.97(b) or 1.97(c)) **O P E**

Docket No.  
 15436.436.3

In Re Application: **Ralph H. Johnson**

JUN 03 2005

PATENT & TRADEMARK OFFICE

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/026,019	December 20, 2001	Dung T. Nguyen	022913	2828	6105

Title: **VERTICAL CAVITY SURFACE EMITTING LASER INCLUDING INDIUM AND NITROGEN IN THE ACTIVE REGION**

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

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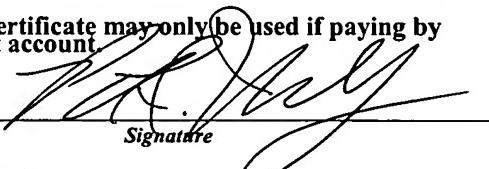
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 Typed or Printed Name of Person Mailing Certificate

Dated: June 3, 2005

Peter F. Malen, Jr.  
 Attorney for Applicant  
 Reg. No. 45,576  
 Telephone No. 801-533-9800

CC:

Applicant: Ralph H. Johnson  
 Serial No.: 10/026,019  
 Filing Date: December 20, 2001  
 For: VERTICAL CAVITY SURFACE EMITTING LASER INCLUDING  
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Att'y Docket No.: 15436.436.3  
 Group: 2828



SUPPLEMENTAL INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

Foreign Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Filing Date</u>	<u>Country or Patent Office</u>
____ 1	332930	06/06/97	ROC

References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

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Examiner: \_\_\_\_\_ Date Considered: \_\_\_\_\_

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.